

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO IN AND FOR THE COUNTY OF BANNOCK
MAGISTRATE DIVISION

IN THE INTEREST OF:

A JUVENILE UNDER EIGHTEEN
YEARS OF AGE

ACKNOWLEDGMENT OF RIGHTS
CASE NO.
CASE NO.

The above named juvenile and his/her parent(s), legal guardian or custodian are provided information about their respective rights, as afforded by the Constitution and statutes of the State of Idaho.

1. The juvenile and parents have the right, upon being advised of the charges brought and sanctions available under the Idaho Juvenile Corrections Act, to enter an admission or denial (plead guilty or not guilty) of the truth of the allegations contained within the petition filed in this matter.
2. The right to be represented by an attorney at all stages of the proceedings.
3. The right to ask the Court to appoint any attorney, if indigent or financially unable to hire his/her own attorney, an attorney will be appointed at county expense.
4. The juvenile has the right to remain silent. Statements made by the juvenile can be used against the juvenile by the prosecution.
5. The juvenile has the right to refuse to testify in any proceedings relating to this matter, however, if the juvenile decides to testify he/she has the right to do so.
6. The juvenile has the right to the presumption that he/she is innocent of the charge or charges in the petition and the prosecution has the burden of proving each material allegation contained therein beyond a reasonable doubt before the juvenile can be found to have committed the unlawful acts alleged.
7. The juvenile has a right to trial before the Court. A jury trial is not allowed under the Idaho Juvenile Corrections Act.
8. The juvenile has the right to cause witnesses to be subpoenaed to compel their attendance at trial.
9. The juvenile has the right to cross-examine and ask questions of any witnesses appearing and testifying against them.
10. If the juvenile admits the charge(s) (pleads guilty) at the admit/deny (arraignment) hearing, the rights listed in #2 to #9 would be waived.
11. The juvenile and his/her parent(s), legal guardian, or custodian have the right to appeal, within 42 days of the same, any decision of this Court to the District Court. Should the juvenile admit the allegations contained in the petition, or if the petition is proven true at an evidentiary hearing (trial), the Court may make a disposition (sentencing). Disposition may include, but is not limited to the following:
 - a. This case may be dismissed if the Court finds this juvenile's best interests do not require further action by the Court, or:
 - b. This case may be diverted for a reasonable period of time and the Court may impose conditions or requirements that the juvenile must obey, or:
 - c. The Court can grant an informal adjustment with probation as explained in (d) and (e). An informal adjustment allows the charge to be dismissed upon successful completion of probation and/or:

- d. The juvenile may be placed on probation to the Juvenile Probation Department for a period not to exceed three (3) years. The juvenile and the juvenile's parent(s), legal guardian, or custodian may be required to obey a probationary order (under Idaho Code 20-520). A violation or breach of the terms and conditions of probation by the juvenile, juvenile's parent(s), legal guardian(s), or custodian(s) may result in a fine or penalties, as provided by law including detention time for the juvenile and jail time for parent(s)/guardian(s) found in violation of the court order, and/or;
- e. The juvenile may be committed to detention for a period of time not to exceed;
 - 1. Ninety (90) days for each unlawful or criminal act if said act would be a misdemeanor if committed by an adult, or where the juvenile is adjudicated as a habitual status offender.
 - 2. One hundred eighty (180) days for each unlawful or criminal act if said act would be a felony if committed by an adult. If the juvenile violates conditions of probation, the court may commit the child to detention for all or a portion of the period originally suspended.
 - 3. Thirty (30) days detention time for status offenses to be served only if the juvenile violates a valid court order.
 - 4. The parent/guardian and/or juvenile will be required to pay \$50.00 per day toward the cost of detention. This \$50.00 fee will be subject to waiver or reduction at the discretion of the probation department. Any reductions will be based on compliance with probation by the parent/guardian and/or juvenile.
- f. The Court may make an additional order setting forth reasonable conditions to be complied with by the parent(s), juvenile, legal guardian or custodian which is in the best interest of the juvenile or in the interest of justice and public protection.
- g. For a felony and multiple misdemeanor-type charges, the juvenile may be committed to the legal custody of the Idaho Department of Juvenile Corrections for an indeterminate amount of time not to exceed the juvenile's twenty-first (21) birthday. The parent(s)/guardian(s) may be ordered to pay the State of Idaho the cost of treatment while the juvenile is in the custody of the State. This may exceed \$80 per day.
- h. Community service may be ordered with a \$.60 per hour charge for worker's compensation insurance.
- i. The Court may suspend the juvenile's driving privileges for such period of time as the Court deems necessary.
- j. Besides the dispositions listed, the juvenile shall pay \$25.00 a month as a Probation Fee, and \$20.00 for every petition filed where the juvenile is within purview of the Juvenile Corrections Act, to the Juvenile Corrections Fund and the juvenile and/or parent(s) may be ordered to pay restitution to or make whole any victim who suffers an economic loss as result of the juvenile's conduct. This is not limited in any way and may be entered as a judgment against the parent(s) or legal guardian at any time.
- k. A juvenile admitting to, or pleading guilty to, a sexual offense may be required to register as a sex offender under Idaho and federal laws.

We, the undersigned, hereby acknowledge that we have been given our rights and that we understand them, and declare that if we did not understand them, we would ask for further explanation from the Court before signing.

DATED this _____ day of _____ 20_____

PARENT(S)

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GUARDIAN

LEGAL CUSTODIAN

JUVENILE

Revised 10/06